



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/127,256	07/31/98	ELKINS	OR209

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QM61/1231

EXAMINER

LEO, L

ART UNIT	PAPER NUMBER
3743	

DATE MAILED: 12/31/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademark

Office Action Summary

Application No.

09/127,256

Applicant(s)

Elkins

Examiner

Leonard R. Leo

Group Art Unit

3743



☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-19 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-19 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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In the drawings, Figures 1-2 should be labelled as "Prior Art" as disclosed in the specification.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Prior Art Figure 2 in view of Haugeneder.

Applicant's Prior Art Figure 2 discloses all the claimed limitations except first and second lines intersecting at an angle of 70 to 110 degrees.

Haugeneder discloses a heat exchange panel comprising a first layer and second layer having a border seal; a first port 1 and second port 2; a plurality of dot matrix of attachments 3-6 arranged into first lines and second lines crossing at 90 degrees for the purpose of achieving a desired heat exchange by providing optimum flow resistance and flow (column 3, lines 43-50).

Since Applicant's Prior Art Figure 2 and Haugeneder are both from the same field of endeavor, the purpose disclosed by Haugeneder would have been recognized in the pertinent art of Applicant's Prior Art Figure 2.

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It would have been obvious at the time the invention was made to a person having ordinary skill in the art to employ in Applicant's Prior Art Figure 2 first lines and second lines crossing at an angle of 90 degrees for the purpose of achieving a desired heat exchange as recognized by Haugeneder.

Regarding claims 2, 7, 11 and 16, Haugeneder discloses the first and second lines intersect with the nominal direction of flow 8 at about 34 degrees (gleaned from Figure 1).

Regarding claims 3-5, 8-9, 12-14 and 17-19, Applicant's Prior Art Figure 2 meets the claimed limitations.

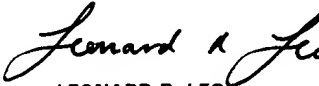
Regarding claims 6-9, the method of manufacturing claims are met by the combination of Applicant's Prior Art Figure 2 and Haugeneder.

Regarding claims 10-14, the method of operating claims are met by the combination of Applicant's Prior Art Figure 2 and Haugeneder.

Regarding claims 15-19, to employ the device of the combination of Applicant's Prior Art Figure 2 and Haugeneder in a well known system (e.g. Elkins et al) requires only routine skill in the art.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication should be directed to Leonard R. Leo whose telephone number is (703) 308-2611.


LEONARD R. LEO
PRIMARY EXAMINER
ART UNIT 3743

December 21, 1998